

1653



Atty. Dkt. No. 073406-0403

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Jerry Pelletier, et al.

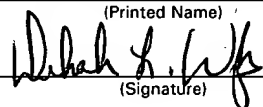
Title: DEVELOPMENT OF NOVEL  
ANTI-MICROBIAL AGENTS  
BASED ON BACTERIOPHAGE  
GENOMICS

Appl. No.: 09/454,252

Filing Date: 12/02/1999

Examiner: R. Mitra

Art Unit: 1653

<p align="center"><b>CERTIFICATE OF MAILING</b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date below.</p> <p align="center"><u>Deborah L. Wykes</u> (Printed Name)</p> <p align="center"> (Signature)</p> <p align="center"><u>February 21, 2003</u> (Date of Deposit)</p>
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**AMENDMENT TRANSMITTAL**

Commissioner for Patents  
Box NON-FEE AMENDMENT  
Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

- [ X ] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a Small Entity statement previously submitted.
- [ X ] PTO-1449 previously submitted in Application Serial Number 08/687,289.
- [ X ] 52 References.
- [ X ] The fee required for additional claims is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims:	83	95	= 0	x \$18.00	= \$0.00
Independents:	6	18	= 0	x \$84.00	= \$0.00
First presentation of any Multiple Dependent Claims:			+	\$280.00	= \$0.00
CLAIMS FEE TOTAL:					= \$0.00

- [ ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$410.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$930.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,450.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$1,970.00	\$0.00
	EXTENSION FEE TOTAL:		\$0.00
	CLAIMS AND EXTENSION FEE TOTAL:		\$0.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$0.00
	TOTAL FEE:		\$0.00

- ☐ Please charge Deposit Account No. 50-0872 in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.
- ☐ A check in the amount of \$0.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 21 February 2003

FOLEY & LARDNER  
P.O. Box 80278  
San Diego, California 92138-0278  
Telephone: (858) 847-6714  
Facsimile: (858) 792-6773

By Wesley B. Ames

Wesley B. Ames  
Attorney for Applicant  
Registration No. 40,893



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**AMENDMENT**

Commissioner for Patents  
Box NON-FEE AMENDMENT  
Washington, D.C. 20231

Sir:

This communication is responsive to the Office Action dated December 31, 2002, concerning the above-referenced patent application.

Please amend the application as follows:

**In the Claims:**

Please cancel claims 102-105, 114, and 115 without prejudice to future prosecution.